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STATE OF COLORADO

Roy Romer, Governor
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Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

September 19, 1994

Mr. Steven W. Slaten
U.S. Department of Energy
Rocky Flats Office
P.O. Box 928
Golden, Colorado 80402-0928

RE: Technical Memorandum/Final Work Plan, Operable Unit 7

Dear Mr. Slaten,

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the Division), has reviewed the above referenced document, dated September 2, 1994 and received September 8, 1994, and as the lead regulatory agency for OU7, has determined that it adequately addresses CDPHE and EPA comments submitted to you on July 1, 1994. As a result, we are granting approval of the Phase I RFI/RI Report and Phase II RFI/RI Workplan components of this Technical Memorandum.

The Division has attached comments that focus on the implementation of the closure action and require that they be incorporated, as appropriate, in the IM/IRA Decision Document.

With the approval of this report and workplan, we are now able to reset the remaining milestones associated with the IM/IRA closure of OU7. Discussions among our staffs have clearly outlined agency expectations for the components of the schedule that will result in new milestones, and we anticipate these components to be accurately reflected in your new schedule submittal (review times, elimination of unneccesary tasks, etc.). When this occurs, we can approve the milestones associated with the process improvement proposal you have previously submitted.

Sincerely,

Joe Schieffelin, Unit Leader
Rocky Flats IAG Unit
Hazardous Waste Control Program

cc: Arturo Duran, EPA
Dave George, DOE
Laurie Peterson-Wright, EG&G
Laura Perrault, AGO
Steve Tarlton, RFPU

Colorado Department of Public Health and Environment
Comments
Technical Memorandum/Final Work Plan, Operable Unit 7
Revision 9/2/94

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1) Executive Summary and Section 1.3.1: The references to the potential disposition of the OU6 IHSSs (depending on the outcome of the OU6 investigation) as a consolidation into the OU7 closure under the CAMU concept are inappropriate. The Division has made the preliminary determination that a CAMU is not feasible at OU7 due a CAMU's regulatory obligation to satisfy the 6 CCR 1007-2, Part 2, Requirements for Siting of Hazardous Waste Disposal Sites, and OU7's inability to meet those requirements. If action is necessary to mitigate risks at these IHSSs, removal to or remediation at a separate location will be required.

2) Executive Summary, Section 1, Section 5.4: Any soils in the spray evaporation areas around the East Landfill Pond (ELP) that are not secured under the presumptive cap must also be evaluated against risk-based criteria. The document assumes (perhaps correctly but perhaps not) that *all* these soils will be covered and focuses instead exclusively on soils downgradient of the ELP embankment. Figure 6-1 of the draft report showed verification sample locations that were on the north and south edges of the sampling grid; if any of these will fall outside of the proposed cap (based on its preliminary design), they may need further investigation.

3) Section 1: The presumptive remedy and streamlined approach do not eliminate the need for IAG deliverables unless specifically so amended by the agencies. This Technical Memorandum serves as the Phase I RFI/RI Report and the Phase II RFI/RI Workplan.

4) Section 4.3: The use of Rock Creek data is adequately discussed in our separate correspondence titled "OU7 PAM and Background Soils", dated September 8, 1994. It is likely that the background surficial soils data set that will drive COC selection and any post-closure remedial decisions will be different from the one used for this report.

Along those lines, the Appendix M data disk still does not contain results of the hot measurement test for surficial soils (only groundwater). We requested this data in our comments on the draft report because the majority of PCOCs in surface soils were selected as a result of having failed the hot measurement test (Table 4-13). This is important because it is the soils, in the absence of established standards, that *must* undergo the background comparison/COC selection process prior to an assessment of risk. The specifics of the surficial soils COC selection methodologies (including background issues) are not a driver for the closure action, but are *essential* for the post-closure risk assessment and must be adequately addressed at that time.

5) Section 5.5.7.2 and Figure 5-1: The alignment of the proposed slurry wall is meant to enclose groundwater contamination on the south side of the landfill. However, Figure 5-1 shows the wall to the north of the OU6 166.X IHSSs and very close to the boundaries of the predicted plumes shown in Section 4. To err on the side of safety, the wall should encompass these potential sources.

6) Section 6.1: The fate of IHSSs 167.2 and 167.3 (and the OU6 IHSSs as well) are not dictated by the presumptive remedy approach; 167.2 and 167.3 just happen to be conveniently under the proposed cap.